

KANE, PUGH, KNOELL, TROY & KRAMER LLP

BY: PAUL C. TROY, ESQUIRE

ATTORNEY I.D. NO. 60875

DONALD J. BELFIE, JR., ESQUIRE

ATTORNEY I.D. NO. 91889

510 SWEDE STREET

NORRISTOWN, PA 19401

(610) 275-2000

ATTORNEYS FOR DEFENDANT
GREYHOUND LINES, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THI TICH HUYNH

:

NO.

:

v.

:

CIVIL ACTION

:

GREYHOUND LINES, INC. AND

:

JOHN DOE

:

NOTICE OF REMOVAL OF DEFENDANT

Defendant, Greyhound Lines, Inc., through their undersigned attorney, gives notice of the removal of the above captioned action to this Court of a State of Civil Action pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, and in support thereof aver as follows:

1. A civil action has been brought against defendants by the plaintiff in the Court of Common Pleas of Philadelphia County at No. 180400263. A copy of that Complaint is attached hereto as Exhibit "A".

2. The State Court where the action was originally filed is located in Philadelphia County, Pennsylvania, which is embraced within this judicial district.

3. The plaintiff is, at the time of the filing of this action, a citizen of the Commonwealth of Pennsylvania.

4. Defendant, Greyhound Lines, Inc. is a Delaware corporation with corporate headquarters located at 2221 E. Lamar Blvd., Suite 500, Arlington, Texas.

5. In her Complaint, Plaintiff alleges she suffered serious injuries of the personal nature, including injuries to her head, neck and knee resulting in headaches, right wrist pain, neck and back pain and left hip pain. As such, her action is for an amount in controversy in excess of statutory jurisdictional limit, together with costs of this action and damages for delay.

6. A Complaint in this action was received by Defendant, Greyhound Lines, Inc. A copy of the Complaint is attached as Exhibit "A". No other process, pleadings or Orders have been served upon the defendants.

7. The statutory requirements having been met, the state action is properly removed to United States District Court for the Eastern District of Pennsylvania.

Respectfully Submitted:

KANE, PUGH, KNOELL, TROY & KRAMER, LLP

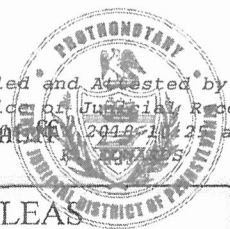
By: _____


PAUL C. TROY, ESQUIRE

DONALD J. BELFIE, JR., ESQUIRE
Attorneys for Defendants

EXHIBIT “A”

DEFINO LAW ASSOCIATES, PC
 BY: Vincent N. Melchiorre, Esquire
 Identification No: 40342
 2541 South Broad Street
 Philadelphia, PA 19148

Filed and Attested by the
 Office of Judicial Records
 MAY 18 2018 10:25 am
 Attorney for Plaintiff


THI TICH HUYNH	COURT OF COMMON PLEAS
v.	PHILADLEPHIA COUNTY
GREYHOUND LINES, et al	NO: 180400263

NOTICE

IMPORTANT NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL AND INFO. SERVICES
 1101 MARKET STREET, 11TH FLOOR
 PHILADELPHIA, PA 19107-2911
 (215) 238-1701

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y require que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTATE DEMANDA A UN ABOGADO IMMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Servicio de Referencia e Informacion Legal
 1101 MARKET STREET, 11TH FLOOR
 FILADELFIA, PA 19107-2911
 (215) 238-1701

DEFINO LAW ASSOCIATES, PC
 BY: Vincent N. Melchiorre, Esquire
 Identification No: 40342
 2541 South Broad Street
 Philadelphia, PA 19148
 (215)551-9099

ATTORNEY FOR PLAINTIFF

THI TICH HUYNH Plaintiff v. GREYHOUND LINES and JOHN DOE Defendants	COURT OF COMMON PLEAS PHILADELPHIA COUNTY APRIL TERM 2018 NO: 0263
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COMPLAINT IN CIVIL ACTION

1. Plaintiff Thi Tich Huyn is an adult individual residing at the address captioned above, and at all times relevant hereto was a passenger on the Greyhound bus.
2. Defendant Greyhound Lines is a regional transportation authority empowered to act as a common carrier in and about the public highways of the City of Philadelphia, in the Commonwealth of Pennsylvania, with its registered office and principal place of business at 2221 E. Lamar Blvd., Suite 500, Arlington, Texas, and at all times material hereto did own, possess, maintain, lease, and/or control, individually and/or through an authorized agent acting on its behalf, the Greyhound bus involved in this incident.
3. On April 9, 2018 between 7:00 - 8:00 p.m., Plaintiff was preparing to disembark from the Greyhound bus on which she was traveling from Atlantic City to Philadelphia. when the bus driver unexpectedly and without warning slammed on his brakes.
4. Plaintiff's was thrown about and fell down the front steps of the bus head first, sustaining injuries to her head, neck and knee and was transported via EMS to Thomas Jefferson University Hospital Emergency Department.
5. Plaintiff suffered serious personal injuries as a result, as set forth in further detail; headaches, right wrist pain, neck and back pain and left hip pain.

6. Plaintiff was in no way contributorily negligent with regard to the accident set forth above;

7. Plaintiff enjoys full tort protection and may recover for both economic and noneconomic damages pursuant to 75 Pa.C.S. § 1705(d)(3), since she was injured while an occupant of a motor vehicle other than a private passenger motor vehicle;

8. At all times relevant to the accident described above, the driver of Greyhound bus had a clear and unobstructed view of the passengers;

9. At all times relevant to the accident described above, Defendant Greyhound was acting by and through the driver of the bus number and as such driver was Defendant's agent and/or employee at the time and was acting within the scope of his employment;

10. As such, Defendant is liable for the acts and/or omissions of the driver of the Greyhound bus through the doctrine of respondeat superior;

Count I - Negligence

Tich Thi Huynh v. Greyhound Lines

11. Plaintiff hereby incorporates the averments of paragraphs 1 through 11 as though same were set forth at length herein;

12. Defendant's negligence consisted of the following;

- a. Failure to properly train its driver employee regarding the safe operation of the Greyhound bus;
- b. Allowing its driver employee to operate a large public transit passenger vehicle, without adequate knowledge and/or experience to ensure its safe operation;

13. Such negligence was the direct and proximate cause of the accident;

14. Due to said accident, Plaintiff suffered serious bodily injury;

15. Plaintiff has had to undergo extensive medical treatment for these injuries, and may continue to require treatment in the future, all to her great suffering and loss;

16. Plaintiff's medical treatment has caused her significant financial expense, and may continue to do so in the future, all to her great suffering and loss;

17. Plaintiff's injuries have interfered and continue to interfere with her activities of daily living and her ability to enjoy her life, all to her great suffering and loss.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant judgment in her favor and against Defendant in an amount in excess of Fifty-Thousand Dollars (\$50,000.00).

DEFINO LAW ASSOCIATES, PC

BY: 

Vincent N. Melchiorre
Attorney for Plaintiff

KANE, PUGH, KNOELL, TROY & KRAMER LLP

BY: PAUL C. TROY, ESQUIRE

ATTORNEY I.D. NO. 60875

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NO.

CIVIL ACTION

CERTIFICATE OF SERVICE

I, Paul C. Troy, certify that on this date I served a true and correct copy of the Notice of Removal, Defendant's Disclosure Statement, my Entry of Appearance and Demand for Trial by Jury in the above-captioned matter on all counsel of record and unrepresented parties via U.S. First Class Mail, postage prepaid, as follows:

Vincent N. Melchiorre, Esquire
De Fino Law Associates, P.C.
2541 South Board Street
Philadelphia, PA 19148

KANE, PUGH, KNOELL, TROY & KRAMER, LLP

Date: 5/17/18

By: 

PAUL C. TROY, ESQUIRE

DONALD J. BELFIE, JR., ESQUIRE

Attorneys for Defendant, Greyhound Lines, Inc.

KANE, PUGH, KNOELL, TROY & KRAMER LLP

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DEFENDANT'S CERTIFICATE OF FILING OF
COPY OF NOTICE OF REMOVAL WITH THE STATE COURT

I, PAUL C. TROY, ESQUIRE, counsel for Defendant, Greyhound Lines, Inc., hereby certifies that a certified copy of Defendant's Notice of Removal will be filed with the Prothonotary of the Court of Common Pleas of Philadelphia County, Pennsylvania, wherein is pending the State Court action which is the subject of the removal.

KANE, PUGH, KNOELL, TROY & KRAMER, LLP

Date: 5/17/18

By: _____


PAUL C. TROY, ESQUIRE

DONALD J. BELFIE, JR., ESQUIRE

Attorneys for Defendant, Greyhound Lines, Inc.